

Middletown Zoning Board of Review 26 February 2008

1900-2200

Middletown Town Hall

Meeting called by: Mr. Tom Silveria, Chairman

Note taker: Mr. Richard Cambra

Attendees: Mr. Tom Newman, Mr. Peter Van Steeden, Mr. Richard Cambra, Mrs. Melissa Massey, and Mr. Stephen MacGillivray.

Minutes

Agenda item: Petition Of: Karmik, LLC- 265 Prospect Ave.- Middletown, RI- (owner)- by their attorney Joseph R. Palumbo, Jr., MBR- for an Appeal from Article 3 Section 319 and Article 9 Section 901 - To Appeal the condition imposed by the Planning Board that “the proposed building lots shall be accessed as depicted on sheet 3 of 4 of the approved subdivision plan set.” Said real estate located at Prospect Ave. & Aquidneck Ave. and further identified as Lot 46 on Tax Assessor’s Plat 120.

Discussion: Continuances/Withdrawals

Conclusions: Continued to 25 March 2008 regular meeting.

Agenda item: Petition Of: Bancroft Partners, LLC- 1100 Aquidneck

Ave.- Middletown, RI- (owner)- by their attorney Robert M. Silva, Esq.- for a Special Use Permit from Sections 803A- To allow the alteration of a non-conforming use (multi-family residential condominium structure) by the construction of a six unit ancillary storage structure, pursuant to plans filed herewith. Said real estate located at 575 Tuckerman Ave. and further identified as Lot 127 on Tax Assessor's Plat 122.

Discussion: Continuances/Withdrawals

Conclusions: Continued to 25 March 2008 regular meeting.

Agenda item: Petition Of: D&B Valley Associates, LLC- C/O Peter R. Dunn, Managing Member- 675 Paradise Ave.- Middletown, RI- (owner)- by their attorney Brian G. Bardorf-For a 1-year Extension from Article 11 Section 1106 to grant a 1-year extension of a previously granted Special Use Permit as allowed in Section-905, to allow the construction of a single family dwelling in Zone (1) Watershed Protection District. Said real estate located at William Dr. and further identified as Lot 818 on Tax Assessor's Plat 114.

Discussion: Request for Extension

Conclusions: Granted 5/0

Agenda item: Petition Of: Pensco Trust Company- 178C Green End Ave.- Middletown, RI- (owner)- Andrew F. Nicoletta- 178C Green End Ave.- Middletown, RI- (applicant)- by their attorney David P. Martland,

Esq.- for an Extension from Sections 603, 701 & 803G- to grant a 1 year extension of previously granted relief, said relief granted by Decision dated March 10, 2006 and extended to March 10, 2008. Said real estate located at 203 Tuckerman Ave. and further identified as Lot 31 on Tax Assessor's Plat 116SE.

Discussion: Request for Extension

Conclusions: Granted 5/0

Agenda item: Petition Of: Joseph & Paula A. Ruggiero- 1 Nayatt Point Ct.- Barrington, RI- (owner)- Narragansett Car Company of R.I., Inc.- 1100 Aquidneck Ave.- Middletown, RI- (applicant)- by their attorney Robert M. Silva, Esq.- for an Extension from Sections 1203A(1), 1203A(2), 1203B(1), 1204F(1), 1204M(3), 1205C(2) & 1205C(3)- to grant a 1 year extension of previous signage relief, said relief granted by Decision dated February 28, 2007. Said real estate located at 1133 West Main Rd. and further identified as Lot 111 on Tax Assessor's Plat 106.

Discussion: Request for Extension

Conclusions: Granted 5/0

Agenda item: Petition Of: Aquidneck Group, LLC- 217 W. Central St.- Natick, MA- (owner)-Christine Dimestico- Sign Design (applicant)- for a Special Use Permit from Sections 1211 Table 12-4 - To allow the replacement of a 7.75 sq. ft. sign with an 18.9 sq. ft. internally

illuminated channel letter sign. Said real estate located at 99 East Main Rd. (CVS) and further identified as Lot 106 on Tax Assessor's Plat 107SE

Discussion: Made Changes to reduce size

Conclusions: Granted 5/0

Agenda item: Petition Of: 985 East Main Rd., LLC-c/o David P. Martland Esq.-1100 Aquidneck Ave.-Middletown, RI-for a Variance from Sections 602, 702, 804, 1504, 1505 and all applicable provisions of the ordinance-to allow the demolition of an existing 36 unit hotel/multi-family dwelling use and the construction of a 36 unit multi-family dwelling project. (all 2 bedrooms units) (14 allowed) to be located in two buildings (1 allowed) in an R-30 zoning district, resulting in greater density and less open space than is required. Said real estate located at 985 East Main Rd. and further identified as Lot 20 on Tax Assessor's Plat 118.Petition Of: 985 East Main Rd., LLC-c/o David P. Martland Esq.-1100 Aquidneck Ave.-Middletown, RI-for a Special Use Permit-from Sections 802, 803 (A), 1500 et seq.-to permit the alteration, extension and enlargement of an existing non-conforming use; namely, a 36 unit hotel multi-family dwelling project by the demolition of the existing structures and the construction of a 36 unit multi-family project. Said real estate located at 985 East Main Rd. and further identified as Lot 20 on Tax Assessor's Plat 118.

Discussion: No quorum

Conclusions: Continued to 25 March 2008 regular meeting.

Agenda item: Petition Of: Thomas & Barbara A. Moloney- 221 Tuckerman Ave.- Middletown, RI- (owners)- by their attorney MaryJo Carr, Esq.- 47 Long Wharf Mall- Newport, RI- for a Variance from Sections 603, 701 & 803G To construct a 2 story addition and porch with a front yard setback of 15'-8" on Tuckerman Ave and a 4' setback on Shore Drive where 25' is required resulting in an increase in lot coverage from 31.3% to 40.2% where 25% is allowed and a height of 38'-6" where 35' is allowed. Said real estate located at 221 Tuckerman Ave. and further identified as Lot 33 on Tax Assessor's Plat 116SE.

Discussion: None

Conclusions: Withdrawn

Agenda item: Petition Of: Thomas & Barbara A. Moloney- 221 Tuckerman Ave.- Middletown, RI- (owners)- by their attorney MaryJo Carr Esq.- 47 Long Wharf Mall- Newport, RI- for a Variance from Sections 603, 701 & 803G- To reconstruct the 1st floor and construct a 2- story addition to the existing single family dwelling with a front yard setback of 10'-7.5" on Tuckerman Ave and 4' on Shore Drive where 25' is required, a north side yard setback of 13'-9" where 15' is required. Also to allow an increase in lot coverage from 37.5% to 40.9% where 25% is allowed. Said real estate located at 221

Tuckerman Ave. and further identified as Lot 33 on Tax Assessor's Plat 116SE.

Discussion: General Questions

Conclusions: Granted 5/0

Agenda item: Petition Of: Atlantic Beach Suites, LLC- 53 Purgatory Rd.- Middletown, RI- (owner)- by their attorney David P. Martland, Esq.- for a Special Use Permit from Sections 603 & 1400 et seq - To allow a 40' x 48' one-story addition above the existing pool area to be utilized as a function/breakfast room facility for guests. Said real estate located at 28 Aquidneck Ave. and further identified as Lot 59 on Tax Assessor's Plat 116NW.

Discussion: General Questions

Conclusions: Granted 5/0 with conditions

Agenda item: Petition Of: Heather Wolfe- 25 Algonquin Dr.- Middletown, RI- (owner)- for a Variance from Sections 603 & 708B- to allow a 2 family dwelling with frontage of 105.04' where 120' is required. Said real estate located at 25 Algonquin Dr. and further identified as Lot 221 on Tax Assessor's Plat 105

Discussion: Heard testimony, Petitioner asked for legal council

Conclusions: Continued to 25 March 2008 regular meeting.

Agenda item:

Discussion:

Conclusions: